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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
SECURITIES INVESTOR PROTECTION	:
CORPORATION,	:
	:
Plaintiff,	:
	:
v.	:
	:
	:
BERNARD L. MADOFF INVESTMENT	:
SECURITIES LLC,	:
	:
Defendant.	:
-----X	

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

**NOTICE OF APPEARANCE, REQUEST FOR  
SERVICE OF PAPERS AND RESERVATION OF RIGHTS**

**PLEASE TAKE NOTICE** that the Kostin Company, through its undersigned counsel, hereby enters its appearance pursuant to Section 1109(b) of the Bankruptcy Code and Rules 2002 and 9010(b) of the Bankruptcy Rules, and requests that all notices given or required to be given in these cases, and all pleadings and other documents served and required to be served herein, be given to and served upon:

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**PLEASE TAKE FURTHER NOTICE** that, pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing request includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, electronically or otherwise, which affects the Debtors or property of the Debtors.

**PLEASE TAKE FURTHER NOTICE** that, neither this notice nor any later appearance, pleading, claim or suit shall waive the Kostin Company's right (i) to have final orders in non-core matters entered only after *de novo* review by a district judge, (ii) to trial by jury in any proceeding so triable herein or in any case, controversy or proceeding related hereto, (iii) to have the United States District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal or (iv) to any other rights, claims, actions, defenses, setoffs, or recoupments to which the Kostin Company is or may be entitled under agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

Dated: New York, New York  
November 11, 2010

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Bernard J. Garbutt III  
Bernard J. Garbutt III  
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TO:

Clerk of the United States Bankruptcy Court for  
the Southern District of New York  
One Bowling Green  
New York, NY 10004

Irving H. Picard, Trustee  
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45 Rockefeller Plaza  
New York, NY 10111